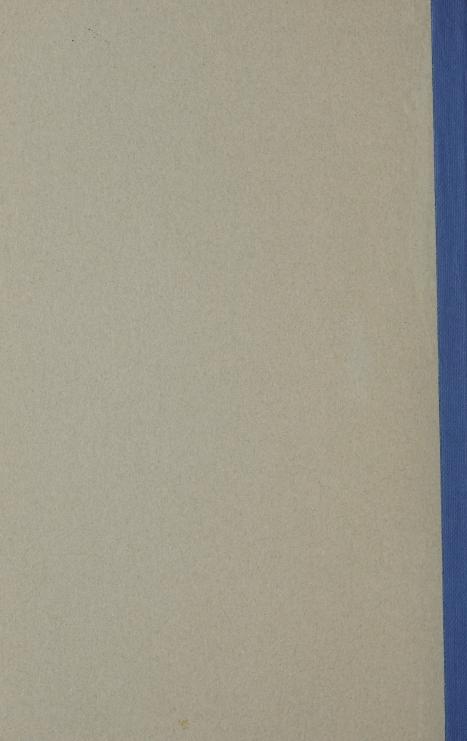
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The Senate of Canada

SPECIAL COMMITTEE

Appointed to

ENQUIRE INTO AND REPORT UPON THE BEST MEANS
OF RELIEVING THE COUNTRY FROM ITS EXTREMELY
SERIOUS RAILWAY CONDITION AND FINANCIAL
BURDEN CONSEQUENT THERETO BRAPE

Submissions in Reply by

SIR EDWARD BEATTY, G.B.E., K.C., LL.D.

Chairman and President, Canadian Pacific Railway Company

AND

Mr. D. C. COLEMAN

Vice-President, Canadian Pacific Railway Company

June 22, 1938

MR. D. C. COLEMAN

Vice-President, Canadian Pacific Railway Company

Honourable Members of the Committee:

It has appeared desirable, in view of certain evidence given by officers of the Canadian National Railways, to have an officer of the Canadian Pacific Railway appear before you not so much to engage in rebuttal of the statements made in criticism of the estimates of savings under unification given you by our officers, as to correct any possible misapprehension which may result from certain remarks in that evidence.

The impression has been created—through no words of our officers—that unification, on the basis of making the economies included in our estimate of savings of \$75,000,000, is a plan evolved by the Canadian Pacific Railway, of its own initiative, in order to obtain control of the Canadian National. Requests of a Royal Commission in 1931-2 to officers of both systems, to develop the facts in connection with a suggestion for unified management, resulted in the preparation of estimates of savings, to illustrate the extent of possible economies. These estimates were not in any sense parts of unification proposals.

As an officer of the Canadian Pacific who received these instructions from the Royal Commission, I can assure you that the facts as I have given them are correct.

As you will have noted, and as Mr. W. M. Neal, Vice-President of Western Lines, has impressed upon you, our officers in preparing their estimates, used the care which is customary with the Canadian Pacific and other large organizations in preparing estimates on which to base business policies. Our officers were aware that this estimate was being prepared for the information of a Royal Commission, and that their responsibility for accuracy was a serious one. The preparation of each detail of the estimate was con-

fided to those engaged in that branch of railway service. As our estimate necessarily took into account such statistics as we had concerning the results of Canadian National operations, it may be well to point out that our officers took into consideration at all stages the comparability of the accounting methods of the

two railways.

Even before any estimate had been requested by the Royal Commission, officers of the Canadian National had, on instructions of their President, prepared and submitted an estimate of possible savings in a normal year of \$56,000,000. The validity of this estimate is now denied, and an attempt is made to indicate that it was based on conditions of neglect of the public interest which made it impossible of realization. As the Exhibit filed with you shows, it was made in complete detail and bears every evidence of being a serious attempt to value the possible savings from unification.

In addition the Canadian National submitted to the Royal Commission estimates of \$35,000,000 and \$24,000,000 to be saved anually by the system of co-operation, whose failure has been described to you. There is no record of any qualifications attached to these, and the comment which accompanies them, as well as the circumstances surrounding their preparation and submission, make it evident that they were offered as showing how co-operation would solve the railway problem. As one who was closely in touch with Enquiry made by the Royal Commission, I have always believed that it took all these estimates seriously, and endorsed co-operation as a substitute for unification largely because of the figures furnished by the Canadian National.

Beyond the suggestion of compulsory co-operation the officers of the Canadian National had no contribution to make to your investigation except certain criticisms of

details of the Canadian Pacific estimate of savings. Our estimate might well require some correction were we to have available as complete information concerning the operations of the Canadian National Railways as we have about our own. Our officers, listening carefully to the evidence given by correspond-ing officials in the Canadian National, inform me that it would not be difficult to indicate mistatements of fact and errors of judgment in their comments on the Canadian Pacific estimate. They tell me that they can trace much misunderstanding concerning the basis on which we made our estimate-especially in connection with certain references to the use of Canadian Pacific unit costs. This, of course, is not surprising when you realize that several officers of the Canadian National have admitted that they have not given consideration to the subject of the savings from unifica-tion in the past, but have only re-cently prepared memoranda calculated to disprove the validity of our estimate.

For example, the officers of the Canadian National argue that our officers had made a mistake in suggesting that unit costs of the Canadian Pacific might be applied to operations of the Canadian National. They insisted that certain conditions make it inevitable that the Government railway will have high-er unit costs than its private com-There is no intention on petitor. our part to impugn the efficiency of Canadian National operations. Our application of Canadian Pacific unit costs in the estimate was based on the simple assumption that as a result of unification there would be created a single well co-ordinated railway system operating on a larger scale than either of the present rail-In such circumstances, it does not seem unreasonable to hope that its operations can be carried on at unit costs as low as, or lower than, are those of the Canadian Pacific.

I seem to trace throughout the Canadian National evidence the general misapprehension that our estimates are based on the fact that we consider the Canadian Pacific a more efficient railway than its competitor. 'This is not the point.

It is not a question of what will happen to two separate railways after unification but of what will happen to a single unified railway. What we argue is that a single railway can be operated at lower unit costs than can two as a direct result of unification. It would be very regrettable if the question of unification is to be discussed on the basis that it is a mere turning over of one railway to the officers of another railway to operate. It is a plan for using all the best equipment and resources of two railways in the joint operation of a single system—for the joint advantage of the owners of both systems.

Subject to the wishes of your Committee, it is not proposed to

Subject to the wishes of your Committee, it is not proposed to offer witnesses in rebuttal, since there is no desire on our part either to extend the length of your hearings, or to convert the record of your Proceedings into a mere register of differing opinions. If you desire to examine witnesses among the Canadian Pacific staff in order to determine whether the critcisms of their estimates have been such as to justify general distrust in either their competence or sincerity, I trust that you will recall them. The Canadian Pacific has offered a suggestion for the solution of the

The Canadian Pacific has offered a suggestion for the solution of the problem before you. It is based on estimates of savings which could, we believe, be realized without depriving any community of adequte service or neglecting the rights of

labour.

So much of the evidence of the Canadian National was directed to proving the extent of economies in that System's operations since 1930 that I must point out that this again was not pertinent to your in-vestigation as I understood its purpose. Our estimate was definitely based on the conditions of 1930, and we have endeavoured to alter it to reflect permanent changes which have occurred since then. We have admitted that, to some extent, these changes have resulted from other causes than depressed conditions of business. Mr. Neal dealt with this and pointed out that while we have not attempted to make a complete estimate of savings by unification under the conditions of 1937, the combined expenses of the railways in 1937 were \$79,643,000, or 20.7% less than in 1930, and that, if it be assumed that all the unification

economies possible in 1937 had fallen in the same proportion as the reduction in expenses of the two railways operated separately, the estimated saving of \$75,373,000 would be reduced to \$59,740,000. He reminded you that in this connection it should be kept in mind that the level of wages in 1937 was appreciably below the levels of both

1930 and 1938.

The Canadian Pacific officers admit, of course, that permanent econ-omies made by the Canadian National and ourselves will affect the pos-sible savings from unification but, after considering our estimate, we feel that this factor would fail to compensate for unestimated economies, and warn against too general assumptions that expenses will not rise almost in proportion to increasing revenues. The compulsory co-operation estimate of the Canadian National lately offered has been supported by the statement that its boreast that its benefits will increase as traffic conditions improve.

We have assumed that the process of rationalizing the transportation machinery of the country would be carried out with care, and that its effects would be spread over a period of years, and thus be prevented from disturbing seriously either public or private interests. Public opinion will not interpose objections to measures which do not proserious public or private duce

losses.

I am therefore confident that no part of the suggestions of the Canadian Pacific Railway need be regarded as in itself certain to produce grave difficulties for the national Government, and I think that I can demonstrate this quite clearly in discussing certain references to a schedule of lines which might be abandoned. This schedule was submitted by the Canadian Pacific at the request of the Royal Commission in 1931-2, and was furnished to that body in confidence. You have learned that the total

effect on the savings from unification of abandoning none of the lines in the schedule would be a reduction of the estimate by about ten

percent.

Looking over the public statements of our Chairman and President, I find few references to line abandonment, and those of a general character. In only one casea direct answer to a direct question -did he refer to the figure of 5.000 miles of abandonments so freely used as describing the consequences of

any plan of unification.

It is thus evident that the emphasis laid on line abandonment must have come from other quarters, and I suggest that it results in part, from misunderstanding, and, in part, from ingenious propaganda intended to convince the public that any plan of unification necessarily involves line abandon-ment on a large scale.

This belief is, of course, incorrect. What has been suggested is a general plan for establishing joint management of the railway systems for joint interest of their owners. No detailed plan has been worked

out or offered.

It should be borne in mind that the preparation by the Canadian Pacific of a schedule of line abandonments was at the request of the Royal Commission, following the submission of a similar schedule by the officers of the Canadian Nation-al—prepared by them before the Royal Commission was appointed. Indeed, the Royal Commission specified to us many of the lines—such as those from Sudbury to Fort William, Saskatoon to Unity, and Kamloops to Hope-where very obvious duplication had impressed the Commissioners, and directed that these be included in the study of line abandonments.

Unification of the railways in one way or another has been before the public of this country for many years, but line abandonment as a factor in it was never generally discussed until the Royal Commission investigation. A suggestion that savings from this source should be included was made by the Royal Commission directly to Mr. A. E. Warren, Vice-President of the Can-adian National Railways, and my-self, and I am, therefore, in a position to inform you accurately as to the origin of this discussion.

It is my belief that many miles of line can be abandoned. Under unification, necessary conditions to the abandonment of any lines would include a decision to that effect by the management of the unified sys-tem—not by the executive of the Canadian Pacific; and the consent of the Board of Railway Commissioners. It has already been suggested, by our Chairman and President, that the powers of that body, to protect the public interest, should

be strengthened.

Our Chairman and President will deal with more general questions and particularly with certain recommendations of officers of the Canadian National Railways for the application of coercion to obtain greater savings than have yet been found possible under co-operation. I believe that you have been fully informed as to the history of cooperation, and have been shown that its ineffectiveness was due to the very nature of the plan.

the very nature of the plan.

However, lest there should be any remaining impression that the Canadian Pacific is to blame for the failure of co-operation, I venture to quote the Hon. C. P. Fullerton. In evidence before the Select Standing Committee of the House of Commons on Railways and Shipping, owned, operated and control-led by the Government, on June 2nd, 1936, Mr. Fullerton, then Chairman of the Board of Trustees of the Canadian National Railways, placed the blame for lack of progress impartially on the officers of both railways. He particularly pointed out the possibility of fear of reduction of employment as a limiting factor. He repeated his opinion before the Standing Committee on Railways, Telegraphs and Harbours of your House on June 12th, 1936. Mr. Ful-lerton made no suggestion that the officers of the Canadian Pacific were the more to blame and, since the reason which he felt he detectedthe possibility of reducing employment—is a favoured argument of the officers of the Canadian National, I may leave it to your decision whether his evidence justifies the charge that the Canadian Pacific is to be held responsible for lack of progress. On this point I feel that I can speak with some certainty since I was present before the Committee of your House when Mr. Fullerton made his statement. At that time, I told the Committee that, in my opinion, no blame attached to the officers of either Company.

In conclusion, I trust that I have made it clear that there is no necessity for public excitement over the alleged consequences of unifica-Erroneous ideas have been circulated that unification means committing the country to the power of a heartless monopoly; the throwing out of work of thousands of men; the drastic curtailment of necessary transportation services: the risk of adding to the Government's obligations on railway account—any of which would be a real objection to unification. I can assure you that none of them can result from any plan of unification to which the Canadian Pacific would be a consenting party, and that the suggestion of our Chairman and President for consideration of this subject is very far from being a recommendation that the country should accept unification and its consequences as they have been described to you by those who are hostile to rationalization of our transportation machinery, or who have misunderstood the purport of his recommendations.

SIR EDWARD BEATTY, G.B.E., K.C., LL.D.

Chairman and President, Canadian Pacific Railway Company

Honourable Members of the Com-

The terms of the resolution of the Senate appointing you show that you are "To Enquire into and Report Upon the Best Means of Relieving the Country From Its Extremely Serious Railway Condition and Financial Burden Consequent thereto."

Since I last appeared before your Committee you have heard a great deal of evidence from the officers of the Canadian Pacific and Canadian National Railways. As our Vice-President has told you, our officers have given their reasons for certain estimates which they have prepared. The corresponding officers of the publicly-owned railway have offered certain criticisms of our figures.

You will have noted a pronounced difference in point of view. With few exceptions the officers of the Canadian National Railways have followed their Chairman and President in bringing into the discussion their view of what they call the "public interest." They admit that savings could be obtained by unifying the management of the railway systems, but they assert that anything accomplished in this direction would be more than offset by the disturbance to public and private interests which would result.

I believe that it is fair to say that the officers of the Canadian National assume that the people of Canada desire to pay a large amount of money each year for the privilege of owning and operating a railway system, and do not wish the results of this railway to be subject to measurement by the ordinary yardstick of commercial administration.

In my judgment these are unwarranted assumptions, but they may explain the difference in attitude of the two groups of officers, and I suggest that, in appraising their

evidence, this distinction should be kept in mind.

In the early part of your Proceedings it is shown that you proposed to ascertain why co-operation, as defined in the Canadian National—Canadian Pacific Act of 1933, has not produced more immediate and important savings, and then to study the unification of railway management, and an estimate of the savings which were possible under it.

In addition, it has been suggested by the officers of the Canadian National that consideration should be given to some new form of coercion to be exercised to force co-operation.

The evidence has shown that the Canadian Pacific has always cooperated willingly. Furthermore, it is obvious that it was in its own interest to do so.

The facts are simply that co-operation can only produce very limited savings while competition is maintained. Important measures of joint economy will never be effected in Canada until some arrangement is made by which their results are shared automatically by the two railways. That, I think, you will realize fully.

I most strongly dissent from any suggestion that the policy of the Canadian Pacific is less considerate of public opinion than is that of its competitor. This is disproved by its record of efficient service of high quality. If there were any truth in such a suggestion, however, it would support the view that my Company would have less to fear from any unpopularity of co-operative measures than would the Government railway.

When you turned to discuss unification, I note that your Proceedings show various references to the "case" of the Canadian Pacific Railway. This reveals a misconception. The officers of this Company have had no case to make. They have merely given evidence as to methods which might be adopted, in their opinion, to reduce the waste of money on railway transportation. Our Vice-President has summarized their evidence on this point, and dealt with the criticisms of it made by officers of the Canadian National. No evidence has so far been presented which would cause me to alter my opinion that our original estimate of savings in the order of \$75,000,000 per annum in normal times is realizable. Mr. Coleman has dealt with the question of the scale on which savings might be expected in the present depressed conditions of business.

In answer to enquiries from your Committee, some of the officers of the Canadian National have suggested that the savings so far agreed upon under co-operation, of approximately \$1,700,000 per annum, might be increased to \$10,000,000 per annum, provided that some Board is set up which will relieve the railways of the odium of initiating eco-Since the Canadian Pacinomies. fic has suggested that economies may be made of a much larger sum per annum, it must be clear that it does not fear this odium. The officers of the Canadian National may, but, since any form of co-operation, compulsory or otherwise, can only obtain its initiative from a suggestion from some quarter, it must be evident that to add a representative of the Government to the Co-operative Committees of the two railways is merely to suggest that the state must take over the burden of odium from the Canadian National Railways. After all, is this not merely to say that this department of Government is to be relieved from the duty of economizing?

My objections to this new plan of coercion are two-fold. In the first place, I cannot see that it would overcome the objections offered to unification. The only real reasons against the adoption of unified management so far offered to my knowledge are that the savings under it would not be as important as I believe them to be, and that the adoption of the measures of economy which would result would be offensive to public opinion. It is admitted that all the savings possible under unification cannot be

made under co-operation. In many cases competitive conditions will prevent the removal of duplicate services under co-operation which could be eliminated, without inconvenience to the public, under joint management. Further, co-operation—compulsory or otherwise—cannot remove unnecessary duplication of head offices and supervisory and soliciting staffs. Certainly, co-operation as far as it eliminated duplication of service and created economies by dispensing with unnecessary employment, would meet the same opposition that is shown to unification.

Beside these objections, I see a very distinct injustice to the Canadian Pacific in such a proposal. It is a revision of one made by the late Sir Henry Thornton before the Royal Commission, when he suggested a new type of Board to administer the Canadian National, and have supreme control of the operations of both companies. The same theory of power to control our operations without financial responsibility is behind the present

suggestion.

It should only be necessary for me to call your attention to Clause 7 of the Canadian Pacific Charter, which provides that "the Canadian Pacific Railway shall become and be thereafter the absolute property of the Company, and the Company shall thereafter and forever efficiently maintain, work and run, the Canadian Pacific Railway." That imposes on us obligations in return for which we hold certain rights.

In the plan submitted to you it is proposed to substitute for this arrangement the creation of a tribunal, on which the Company would have only a minority representation, with power to deal at discretion with the Company's property and its services, without regard to the statutory responsibility of its directors, and with no responsibility to anyone should damage result to the Company's interests. This principle I cannot accept.

The idle objection to my contention is interposed that subjection of every railway to the power of the state is admitted. That the state has the right to hold the balance as between railways and the public, no one will deny. That this theory can be converted into one

under which the state might have the power to sacrifice the interests of a private corporation for the purpose of easing the burdens of the state in connection with its operation of a publicly-owned rail-way is an extension of the principle of state control which I cannot believe would commend itself to the

people of this country.

Co-operation, as provided for in the Canadian National—Canadian Pacific Act, was adopted after esti-mates of large savings under it had been offered by the Canadian Na-tional Railways. It was argued without qualifications-that \$35,000,000 or \$24,000,000 per annum could be saved. At that time I ventured to suggest that the savings would be very much smaller. I am convinced that the present attempt to focus your attention on the possibility of attaining even the small figure of savings now estimated to be practicable under coercion is merely another effort to withdraw your attention from the far greater savings which can be made by unified management.

The ingenious suggestion is offered that perhaps, if your Committee will express a firm opinion against unification, this would permit greater progress with co-operation. I have already pointed out that there has been no delay or lack of interest in connection with co-operation, on the part of the Canadian Pacific Railway. We believe in savings by co-operation, and only object to the present system because it is inade-quate. Therefore, no statement the complete co-operation known as unification is not to be tried would cause us to alter our attitude in respect of the import-ance of making any possible savings by incomplete co-operation. I do not see why fear of unification should limit the efforts of co-operation of the officers of the Canadian National-unless it is meant that, fearing that success in obtaining savings by co-operation may prove the advan-tages of unification, they have deliberately limited their efforts.

These remarks sum up all that I have to offer you at this moment concerning the respective merits of co-operation, unification, and coercion. With your permission I should like now to answer certain questions put to me by Senator Dandur-and, in a statement read to this Committee at the close of your sitting of June 2nd, and printed on Page 1003 of the Proceedings.

Senator Dandurand stated his enquiries were the result of his understanding that the Canadian Pacific had submitted to the Royal Commission suggestions with respect to the division of net in-come under unification, and urged that this information should also be

given to your Committee.

The document in question is incorrectly described. It contained, in the form requested by the Royal Commission, studies of how the public revenues would benefit from various possible divisions of the net income of the unified railways. It contained no offer of terms, but-as with our estimate of savings-was merely an illustration of possible benefits. The document handed to the Royal Commission was prepared and transmitted in confidence. believe that such confidence should be respected.

I can deal quite readily with the specific questions asked by Senator Dandurand. The first concerns the assets which the Canadian Pacific is prepared to put into the unified railway system. As I have pointed out, my suggestion does not involve any transfer of assets. It merely covers the entrusting by each of the railway companies, to a joint management, of certain railway properties, and I assume that Senator Dandurand wishes to know what assets of the Canadian Pacific would contribute to joint earnings under unified management.

I should recommend to our Directors and shareholders that these include our rail lines in Canada, in Maine and in Vermont; our lake, river and coast steamships, and our telegraph, express and hotel systems.

If the Government desired, after considering all the extremely important questions of national marine policy involved, to include ocean steamships, arrangements could probably be made. Clearly, the Company's right to a share in the net earnings of the unified system would be affected by amount of the earnings from such assets included in the agreement for joint management.

Obviously, the entrusting to joint management of most of our nonrailway assets would not increase

the earnings from them, and therefore they should not be included.

The second question deals with the share of the net earnings of the unified system which the Company would expect, the period of experience to be used, the ranking of payments, and the other factors in a formula of division. The number of possible arrangements is almost unlimited. I can only suggest that a general description of the proposal is that the share of net earnings to be received by each of the participants in the plan of unification would be defined in an agreement to be made by authorized representatives of the Government and the Company—subject to ratification by Parliament, and by the shareholders of the Canadian Pacific.

Senator Dandurand's third question seeks information as to what assets the Canadian Pacific would pledge as security for a guarantee by the Government of any old or new capital obligations. In the unlooked-for event of a request for such a guarantee, the security would be whatever was agreed upon by the Government of the day and the Company.

It may be interesting for you to know that the equity of the ordinary and preferred shareholders of the Canadiam Pacific Railway as at December 31st, 1937, amounted to over \$753,000,000 as against an aggregate par value of their holdings of approximately \$472,000,000. The equity represents the difference between the total assets of \$1,382,062,058.01 and the amount of capital liabilities, current liabilities, deferred liabilities and reserves, aggregating \$628,873,682.02.

Senator Dandurand is evidently under a misapprehension when he says that I ask this Committee to endorse a plan in principle, leaving the details for the formal contract. I have made no request of any kind to this Committee. I have given evidence, at the call of this Committee, concerning a certain suggestion of my own to assist in relieving the country from its extremely serious railway condition and financial burden consequent thereto—which your Committee was appointed to consider. No action to implement that suggestion can be

taken at this stage other than for the Government to accept the offer to discuss the problems, and endeavour to negotiate an agreement.

Incidentally, it is not an offer to establish unification on certain precise and detailed terms, but a suggestion to the owners of the National Railways to consider the formulation of a plan. The Government of Canada must be satisfied with the terms, which can only be reached by negotiation. Equally, they must be approved by the shareholders of the Canadian Pacific, and, probably, by its security-holders as well. They are informed that the Director of the Canadian that the Directors of the Company and myself are willing to discuss terms with the Government, but I am no more able to bind them to a detailed agreement than are the members of this Committee to contract on behalf of the Government—which is precisely why I cannot commit myself at this time to the discussion of details of a possible arrangement.

It has been admitted that the present railway situation produces losses to the public treasury which are of an alarming nature.

You are now informed that little or nothing can be done about the situation, and that railways in the wrong place and duplicate railways must always remain in existence and must always be paid for from the taxes because, for some extraordinary reason, it is in the national interest. I cannot accept this attitude of defeatism as the proper solution of an admittedly grave national problem.

When, in the face of these facts, I suggest that we try to make savings by combining the operations of the Canadian National with those of the Canadian Pacific, I am met with the statement that this would be destructive to the public interest. All that I can say on that point is, if the argument be a sound one, then it must have been very wrong for the officers of the Canadian National to undertake the economies which they are inclined to boast they have made since 1930. In 1937, the expenses of that system were \$47,000,000 less than those for the year 1930. How can this be in the public interest if it be now

wrong to proceed to save \$75,000,000 more? Were not services reduced in the past seven years? Were not unnecessary employees laid off? Were not purchases reduced? If these were good things to do because the railway would otherwise have lost large sums of money each year, would it not be well to do the same things again when the railways are continuing to lose large sums of money each year? For my own part, I cannot accept any other conclusion.

The argument of politics is not for me to answer. All that it means is that the Government must choose between spending money for unnecessary railway services or using that money for more effective and constructive purposes. The decision on that point is one for Parliament to make. Can this argument be legitimately adduced by the officers of the Canadian National Railways to show why they object to further savings in railway transportation? Their answer for all practical purposes is to do nothing and wait for times to be better. Mine is to make savings.

May I suggest to you that you

have now reached the stage when

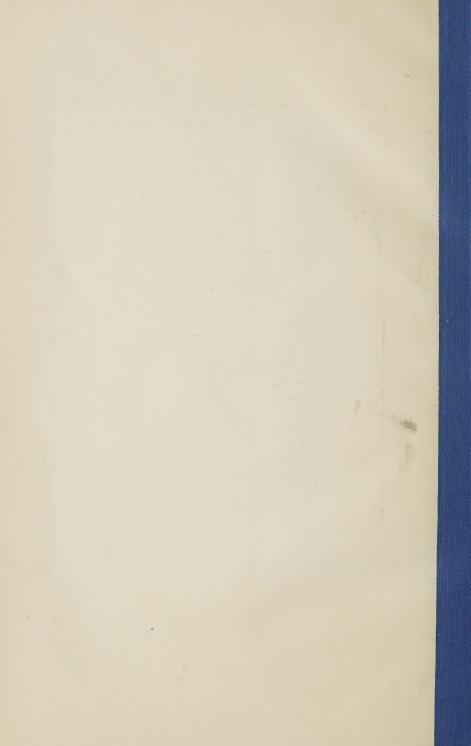
you may properly recommend a checking by experts of these various estimates and conclusions, and when I say experts I mean independent experts, not associated in any way with either Company. There are firms of engineers who for years have specialized in pre-scribing for transportation situations which are uneconomical and unwholesome. I would think that the Committee might be warranted, as the next step, in recommending that such an examination should be made, and that the books and data of both Companies should be thrown open to the enquirers and their properties thoroughly inspect-ed. The resultant report to the Government would be illuminating and, in my judgment, very valuable.

The railway problems which your Honourable Committee is investigating are set out in the terms of your reference. I can contribute nothing more to their solution than my personal assurance that if the Canadian Pacific can, under the ordinary rules of prudence and equity, assist the Government to a solution, that assistance is at the disposal of the nation.











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